

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

MOUNTAINTRUE, SIERRA CLUB,	)	Case No. 1:25-cv-91-MR-WCM
CENTER FOR BIOLOGICAL	)	
DIVERSITY, and DEFENDERS OF	)	
WILDLIFE, <i>et al.</i>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
UNITED STATES FOREST SERVICE,	)	
and JAMES MELONAS, in his official	)	
capacity as Forest Supervisor for the	)	
National Forests of North Carolina,	)	
	)	
Defendants.	)	
	)	

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**DEFENDANTS' NOTICE REGARDING DECISION NOTICE AND  
FINDING OF NO SIGNIFICANT IMPACT FOR THE NANTAHALA  
MOUNTAINS PROJECT**

Defendants notify the Court that the Forest Service issued a Decision Notice and Finding of No Significant Impact for the Nantahala Mountains Project on July 7, 2025. That day, the Forest Service notified interested members of the public, including representatives from the three Plaintiffs in this action and their counsel, that the agency had issued a final decision. The final Environmental Assessment, Decision Notice and Finding of No Significant Impact, and other documents are available at <https://www.fs.usda.gov/r08/northcarolina/projects/61088> (last visited July 14, 2025).

As Defendants noted in their brief in support of their motion to dismiss this facial challenge to the Forest Plan, “[w]hen there is a final decision on a site-specific project, Plaintiffs may challenge the Forest Plan in the context of a site-specific challenge, provided they can satisfy jurisdictional prerequisites.” Dkt. 15 at 12; *id.* at n.3 (stating, “Plaintiffs would need to file a new lawsuit that challenges the site-specific project.”).

The Forest Service currently estimates that contracts for timber sales implementing activities authorized by the Nantahala Mountains Project could be awarded in mid-2026. Operations could begin later in 2026.

Respectfully submitted on this 16th day of July, 2025.

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/s/ Gill P. Beck

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## CERTIFICATION

Pursuant to the Standing Order of this Court entered June 18, 2024, and published to the Bar of the Western District on June 27, 2024, the undersigned hereby certifies:

1. No artificial intelligence was employed in doing the research for the preparation of this document, with the exception of such artificial intelligence embedded in the standard on-line legal research sources Westlaw, Lexis, FastCase, and Bloomberg;
2. Every statement and every citation to an authority contained in this document has been checked by an attorney in this case and/or a paralegal working at his/her direction (or the party making the filing if acting pro se) as to the accuracy of the proposition for which it is offered, and the citation to authority provided.

Dated this 16th day of July, 2025.

/s/ John P. Tustin  
JOHN P. TUSTIN